more broadbased giving adequate representation to States having sizeable Muslim population.

(c) No Sir. However, some State Governments/State Haj Committees have offered their comments on various clauses of the draft bill which will be duly considered.

(d) Does not arise.

**Report of Amnesty International on India**

3211. SHRI SURESH PACHOURI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that India has charges the Amnety International of presenting happenings in the country in a one-sided and very distorted matter?

(b) if so, whether the Amnesty International report tended to highlight stray incidents of human rights;

(c) if so, what specific charges of human rights violations were made and to what extent India had investigated them and how many of them have been found baseless; and

(d) what steps are being taken to change the deport in this regard?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P. V. NARASIMHA RAO): (a) Yes, Sir.

(b) Yes, Sir.

(c) The report of Amnesty International published in August 1988 alleges curtailment of legal safeguards through the National Security Act, The Jammu and Kashmir Public Safety Act, The Terrorist & Disruptive Activities (Prevention) Act, The Terrorist Affected Areas (Special Courts) Act and the 59th Amendment to the Constitution. While on the one hand the Amnesty International has recongnised the existence of an extraordinary situation in Punjab and some other parts of India, leading to the pormulgation of the above-mentioned special Acts and the 59th Amendment to the Constitution sum and substance of its recommendations would/mean reverting to ordinary laws.

Most of the specific cases of alleged human rights violations mentioned in the Report are also found to be baseless. For example, the allegation that Shri Surjit Singh Barnala, former Chief Minister of Punjab was detained under the National Security Act around 14.5.86 is totally false as he was neither arrested nor detained under NSA. Another allegation is that NSA has been used to detain political and religious leaders for curbing legitimate political activity. Government does not believe that giving moral support to the terrorists, who were indulging in murders and other violent activity with the stated objective of secession of a part of India's territory through statements at public fora, can be treated as legitimate political activity. Amnesty International also seems unaware of the fact that the trial of Sikh detainees at Jodhpur has been delayed by the dilatory tacticts adopted by the accused themselves. As far as other alleged violations of human rights viz. tourture, death in police custody etc. are concerned, laws in India do not permit torture by any individual, including the police.

Amnesty International has also misunderstood the legal position in so far as its Report alleges that the 59th Amendment to the Constitution permits direct rule from New Delhi for upto 3 year without having to obtain parliamentary approval. The correct position is that Government will have to seek approval of Parliament every six months.

(d) The point of view of the Government has been made known suitably from time to time.